



United States Environmental Protection Agency

Region I

5 Post Office Square, Suite 100

Boston, MA 02109-3912

URGENT MATTER -- PROMPT REPLY NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

APR 08 2016

Mr. Robert A. Baker, President
Key Polymer
17 Shepard Street
Lawrence, MA 01843-1023

RE: NOTICE OF VIOLATION of the Resource Conservation and Recovery Act (RCRA), the Hazardous and Solid Waste Amendments of 1984 (HSWA), and the Commonwealth of Massachusetts Department of Environmental Protection Hazardous Waste Regulations (310 CMR 30.00 through 30.1103)

Dear Mr. Baker:

On April 28-29, 2015, representatives of the United States Environmental Protection Agency ("EPA") conducted a RCRA Compliance Evaluation Inspection. The purpose of this inspection was to determine the compliance of Key Polymer ("Key Polymer"), EPA ID No. MAD001005750, with the Commonwealth of Massachusetts regulations 310 CMR 30.00 through 30.1103, and the federal Hazardous Waste Management Regulations found at 40 CFR Parts 260-272. The Commonwealth of Massachusetts has been granted final authorization by EPA to administer certain portions of RCRA.

As a result of the inspection noted above, EPA has determined that your facility violated certain provisions of 310 CMR 30.00 through 30.1103 and the RCRA regulations, promulgated at 40 CFR Parts 260 through 272. The violations are set forth below:

1. Failure to maintain a telephone at or near the Facility's less-than 180-day hazardous waste storage area (HWSA). The closest telephone was located approximately 500 feet away;
2. Failure to maintain emergency postings that depicts the exit route, the location of fire extinguishers, telephone and alarms at the HWSA. [Note: These postings were present at the HWSA but the writing was so faded that they were entirely illegible. Posting corrections and improvements were documented to EPA via email on May 5, 2015];
3. Failure to post an up-to-date emergency contact list at the HWSA. Posting corrections were documented to EPA via email on May 5, 2015;
4. Failure to keep a satellite area container closed when wastes are not being removed or added. Improved SAA container closure was documented to EPA via email on May 13, 2015;

5. Failure to label a satellite area container with the words "hazardous waste" and with words that describe the associated hazard(s);
6. Failure to label HWSA containers with words that describe the associated hazard(s) and with words that describe the contents;
7. Failure to conduct waste oil analyses to determine if the waste oil meets either specification or off-specification standards, or if the waste oil has been mixed with hazardous waste(s); and
8. Failure to maintain weekly HWSA inspection logs for two periods of time (namely, 3/31/14 through 6/3/14, and 6/25/13 through 7/8/13).

Immediately upon receipt of this NOTICE:

Key Polymer must address the requirements set forth above and must immediately begin and continue to operate in compliance with all applicable Federal and State regulations.

Within (30) thirty calendar days of receipt of this NOTICE, submit a written description, with supporting documentation, of the actions taken to address items 1, 5 through 8, above.

Submit the information to:

Susann D. Nachmann, Environmental Engineer
U.S. Environmental Protection Agency
Office of Environmental Stewardship (OES05-4)
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

Failure to correct the violations as required by this NOTICE may subject Key Polymer to further Federal enforcement action, including the assessment of penalties, pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. If you have any questions regarding this NOTICE, please contact Susann D. Nachmann, of my staff, at (617) 918-1871.

Sincerely,



Mary Jane O'Donnell, Manager
RCRA, EPCRA & Federal Programs Unit

cc: Susan Ruch, Acting Compliance and Enforcement Section Chief, Mass DEP
Susann D. Nachmann, EPA